

Memorandum

CR-2
Agenda ID # 2220
May 22, 2003

Date: May 19, 2003

To: The Commission (Meeting of May 22, 2003)

From: **Commissioner Loretta Lynch**
Commissioner Carl Wood
Public Utilities Commission—San Francisco

Subject: Commission Policies & Guidelines regarding internal access to information pursuant to, inter alia, Public Utilities Code Section 305

The California Public Utilities Commission, pursuant to its inherent power to govern itself and to Public Utilities Code Section 305, does hereby promulgate the following Policy and Guidelines governing access to internal information:

1. Each commissioner shall have access to any information provided by Commission staff or consultants to any commissioner office in any of the following circumstances:
 - a. The information is for the purpose of analyzing an issue or issues related to potential or existing litigation involving the Commission.
 - b. The information is for the purpose of analyzing an issue or issues related to any matter that is anticipated to be the subject of a vote of the Commission at any time in the future
 - c. The information is for the purpose of implementing, proposing or exploring the need for a change of existing Commission rules, policies, procedures or internal guidelines.
2. The following information is not subject to paragraph 1:
 - a. Drafts of proposed or draft decisions and rulings that are provided to the assigned commissioner's office
 - b. Drafts of agenda resolutions
 - c. Advice relating to a conflict of interest issue
3. The exceptions in paragraphs 2 should not be construed as in any way restricting the availability of such information to all commissioner offices in appropriate circumstances.
4. Whenever any information described in paragraph 1, and not excluded by paragraph 2, is provided to the office of any commissioner(s), the other commissioner offices shall at the same time either be provided the information or be notified of the existence and availability of the information. Such information, if not already provided to the other commissioner offices, shall be provided to the requesting offices immediately upon request. The Executive Director shall take the necessary steps to ensure compliance with these policies and guidelines.
5. For purposes of these policies and procedures, "information" is defined as any written materials or oral reports or briefings including, but not limited to, those containing analysis, summaries, research, or numerical data.